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REMARKS

Claims 1-15 and 17-20 are all the claims presently pending in the application. Claim 16 has been canceled and its limitations combined with those of independent claims 1, 11, and 14.

Entry of this §1.116 Amendment is proper. Since the amendments above narrow the issues for appeal and since such features were in the claims earlier, such amendments do not raise a new issue requiring a further search and/or consideration by the Examiner. As such, entry of this Amendment is believed proper and is earnestly solicited.

It is noted that the claims have been amended solely to more particularly point out Applicant's invention for the Examiner, and not for distinguishing over the prior art, narrowing the claim in view of the prior art, or for statutory requirements directed to patentability.

It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Attached hereto is a marked-up version of the changes made to the Specification and/or claims by the current Amendment. The attached pages are captioned "Version with markings to show changes made".

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yung (U.S. Patent No. 4,961,224)(hereinafter "Yung") in view of Ukai et al. (U.S. Patent No. 6,101,506) (hereinafter "Ukai").

This rejection is respectfully traversed in view of the following discussion.

I. THE CLAIMED INVENTION

Applicant's invention, as defined for example in independent claim 1 (and substantially similarly in independent claims 11 and 14) is directed to a file manager for managing a plurality of files and locating a file from among different versions of a same file.

A feature of the present invention is a table for associating the file with a priority list

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of physical units, where the physical units store a plurality of versions of the file. Specifically, the table includes a plurality of associations of a same file logical path name and a file name in a one-to-one correspondence with a plurality of physical units.

With such a feature, duplication of a file is avoided and several versions of a file with a common logical identification can be saved (e.g. see page 3, lines 7-11 and page 6, lines 2-12).

An exemplary configuration of the file manager and method of using a file manager to locate different versions of a file all having the same path referring to a same logical unit and a same identifier is shown in Figs. 1-2 of the application.

The conventional network systems and methods, such as those discussed below and in the Related Art section of the present application, do not have such a structure and fail to provide for such an operation.

Indeed, such features are clearly not taught or suggested by the cited reference.

II. THE PRIOR ART REFERENCE

The Yung Reference

The Examiner asserts that:

[With respect to claims 1, 11 and 14] Yung discloses the file manager (file server, computer C3, FIG. 1; col. 4, lines 13-17; col. 3, lines 27-32 and col. 9, lines 55-57) provided for locating a file (col. 4, lines 19-22) identified by a path referring to a logical unit and an identifier (30, header, FIG. 2, directory, col. 4, lines 46-50), table (16, access log, FIG. 2 and col. 4, lines 13-16) for associating the file with a priority list (col. 4, lines 37-42) of physical units, see (col. 4, lines 46-57). Yung fails to disclose that the physical units store a plurality of versions of the file.

However, Ukai discloses that the physical units (30, FIG. 1, col. 9, lines 32-54) store a plurality of versions of the file, see (FIG. 3, FIG. 4, col. 11, lines 1-50).

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Therefore, it would have been obvious (sic) a person having ordinary skill in the art to include the physical units store a plurality of versions of the file into the system of Yung. The series of files have a common file name and different versions may be accommodated in one of the physical storing units and are classified with directories to easy access and retrieve, which are called "version managing of the files". Thus, it would be beneficial to use version managing (directory based file managing) to increase the efficiency of the managing.

However, Applicant respectfully disagrees.

That is, Yung and Ukai, alone or even if combined (*arguendo*), disclose two entirely different solutions to their respective problems and their combination does not lead to the solution of the present invention.

Firstly, Yung proposes the duplication of a same file content with a same file name on different physical units. This is because an object of Yung is to optimize the access to a same file by duplicating it on different physical units.

As discussed in the Amendment filed on July 2, 2002, Yung discloses an access procedure performed by computing devices requesting simultaneous conflicting access to the same resource. The effect of the access procedure of Yung is to delay the access of computer devices having a lower priority access. That is, in the conventional art of Yung, the access procedure is performed by each computing device, which knows its priority level, and all the computing devices access the same resource.

Secondly, Ukai proposes storing different versions of a same program (e.g., different file contents) with different file names on a same physical unit. The object of the method and system of Ukai is to manage different versions of a same program file.

Thus, even assuming (*arguendo*) that Yung and Ukai could be combined, that is if the multiple physical units of Yung were to be combined with the multiple versions of a file of Ukai, the resultant product would be different file contents having different file names on different physical units.

For example, Yung and Ukai in combination, would produce a same program having three versions V1, V2, V3 corresponding to three different file contents with three different file names FV1, FV2, FV3 and stored on two separate physical units. Thus, the urged

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combination of Yung and Ukai would yield a total of six (6) files, two sets of files FV1, FV2, FV3 duplicated on two physical units. Therefore, Yung and Ukai, even if combined do not teach or suggest a *"table comprises a plurality of associations of a same file logical path name and a file name in a one-to-one correspondence with a plurality of physical units"*.

Thus, as described above, the Examiner's urged combination of references fails to provide a prima facie case of obviousness, and such an urged combination would therefore only appear to be based upon a reading of Applicant's own specification and impermissible hindsight.

In sharp and fundamental contrast, the present invention, would yield three different file contents and three different file names FN1, FN2, FN3 each of them on different physical units. In total, the present invention would yield a total of three (3) files. This is a far different solution from that obtained by the urged combination of Yung and Ukai.

The object of the present invention is, for recovery purposes, to be able to restore a previous system level file by file, transparently, by changing the physical unit reference in the path of that file. Nowhere, is this achieved by the urged combination of references.

Hence, turning to the clear language of independent claim 1 (and similarly of independent claims 11 and 14), there is no teaching or suggestion of "[a] file manager provided for locating a file identified by a path referring to a unit and an identifier, comprising:

*a table for associating said file with a priority list of physical units,
wherein said physical units store a plurality of versions of said file, and
wherein said table comprises a plurality of associations of a same file logical path name and a file name in a one-to-one correspondence with a plurality of physical units"*
(emphasis Applicant's).

For the reasons stated above, the claimed invention is fully patentable over Yung and Ukai.

Additionally, dependent claims 2-10, 12-13, 15, and 17-20 when combined with their respective independent claims define additional novel and non-obvious features.

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III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-15 and 17-20, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0510.

Respectfully Submitted,

Date: 12/3/02

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that I am filing this Amendment by facsimile with the United States Patent and Trademark Office to Examiner Isaac M. Woo, Group Art Unit 2172 at fax number (703) 308-6606 this 3rd day of December, 2002.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE**IN THE CLAIMS:**

Claim 16 has been canceled without prejudice or disclaimer.

The claims have been amended as follows:

1 1. (Amended) A file manager provided for locating a file identified by a path referring to a unit
2 and an identifier, comprising:

3 a table for associating said file with a priority list of physical units,
4 wherein said physical units store a plurality of versions of said file, and
5 wherein said table comprises a plurality of associations of a same file logical path name
6 and a file name in a one-to-one correspondence with a plurality of physical units.

1 11. (Amended) A file manager for locating a file, comprising:

2 a table for associating said file with a priority list of physical units,
3 wherein said file is identified by a path referring to a logical unit and an identifier, [and]
4 wherein said physical units store a plurality of versions of said file, and
5 wherein said table comprises a plurality of associations of a same file logical path name
6 and a file name in a one-to-one correspondence with a plurality of physical units.

1 14. (Amended) A method for locating a file identified by a path referring to a
2 logical unit and an identifier, comprising:

3 associating, in a file manager having a table, said file with a priority list of physical units,
4 wherein said physical units store a plurality of versions of said file, and
5 wherein said table comprises a plurality of associations of a same file logical path name
and a file name in a one-to-one correspondence with a plurality of physical units.